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GOVERNMENT GAZETTE

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[No. 2396.

DEPARTMENT OF THE PRIME MINISTER.

No. 790. 14th May, 1969.

It is hereby notified that the State President has assented to the following Act which is hereby published for general information:

No. 51 of 1969: Animal Diseases and Parasites Amendment Act, 1969.

DEPARTEMENT VAN DIE EERSTE MINISTER.

No. 790. 14 Mei 1969.

Hierby word bekend gemaak dat die Staatspresident sy goedkeuring gegee het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

No. 51 van 1969: Wysigingswet op Diersiektes en -parasiete, 1969.

Act No. 51, 1969 ANIMAL DISEASES AND PARASITES AMENDMENT ACT, 1969.

ACT

To amend the provisions of the Animal Diseases and Parasites Act, 1956, relating to definitions, the detention and disposal of certain animals, parasites, infectious things and other things introduced into the Republic, the powers of the Minister of Agriculture with reference to quarantine stations, the powers of officers, the restriction upon actions against the State, the compensation payable in respect of animals, parasites, infectious things and other things disposed of under the said Act, the making of regulations, relating to offences and penalties and relating to presumptions in prosecutions for offences under the said Act; so as to provide for the control of the importation of parasites, for the duties of owners of certain conveyances entering the territorial waters of the Republic, for the detention and disposal of certain parasites and infectious things entering the Republic, for the disposal of animals, parasites and infectious things transferred from certain conveyances to other conveyances, for the seizure and disposal of certain conveyances and for the compensation payable in respect thereof, for conferring on the said Minister the power to reserve for observation or treatment certain parasites and infectious things and the progeny of certain animals, parasites and infectious things and for acts or omissions of managers, agents or employees of employers; and to provide for incidental matters.

(Afrikaans text signed by the State President.)
(Assented to 5th May, 1969.)

BE IT ENACTED by the State President, the Senate and the House of Assembly of the Republic of South Africa, as follows:—

Amendment of
section 1 of
Act 13 of 1956, as
amended by
section 1 of
Act 18 of 1967.

1. Section 1 of the Animal Diseases and Parasites Act, 1956 (hereinafter referred to as the principal Act), is hereby amended—

- (a) by the insertion after the definition of “conveyance” of the following definition:
“‘customs officer’ means an officer as defined in section 1 of the Customs and Excise Act, 1964 (Act No. 91 of 1964);”;
- (b) by the insertion after the definition of “prescribe” of the following definition:
“‘progeny’, in relation to any animal, parasite or infectious thing, means any animal, parasite or infectious thing produced by, from or by means of an animal, parasite or infectious thing;” and

WET

Tot wysiging van die bepalinge van die Wet op Diersiektes en -parasiete, 1956, met betrekking tot woordskrywings, die aanhou van en beskikking oor sekere diere, parasiete, besmetlike dinge en ander dinge wat die Republiek ingebring is, die Minister van Landbou se bevoegdhede met betrekking tot kwarantynstasies, die bevoegdhede van beamptes, die beperking op gedinge teen die Staat, die vergoeding betaalbaar ten opsigte van diere, parasiete, besmetlike dinge en ander dinge waarvoor daar kragtens bedoelde Wet beskik word, die uitvaardiging van regulasies, met betrekking tot misdrywe en strawwe en met betrekking tot vermoedens in vervolgings weens misdrywe kragtens bedoelde Wet; ten einde voorsiening te maak vir die beheer van die invoer van parasiete, vir die pligte van eienaars van sekere vervoermiddels wat die territoriale waters van die Republiek binnekom, vir die aanhou van en die beskikking oor sekere parasiete en besmetlike dinge wat die Republiek binnekom, vir die beskikking oor diere, parasiete en besmetlike dinge wat vanaf sekere vervoermiddels na ander vervoermiddels oorgeplaas word, vir die beslaglegging op en die beskikking oor sekere vervoermiddels en vir die vergoeding betaalbaar ten opsigte daarvan, vir die verlening van die bevoegdheid aan bedoelde Minister om sekere parasiete en besmetlike dinge en die nageslag van sekere diere, parasiete en besmetlike dinge vir waarneming of behandeling te hou en vir die doen of late van bestuurders, agente of werknemers van werkgewers; en om vir bykomstige aangeleenthede voorsiening te maak.

*(Afrikaanse teks deur die Staatspresident geteken.)
(Goedgekeur op 5 Mei 1969.)*

DAAR WORD BEPAAL deur die Staatspresident, die Senaat en die Volksraad van die Republiek van Suid-Afrika, soos volg:

1. Artikel 1 van die Wet op Diersiektes en -parasiete, 1956 (hieronder die Hoofwet genoem), word hierby gewysig—
 - (a) deur na die woordskrywing van „direkteur” die volgende woordskrywing in te voeg:

„doeanebeampte” ’n beampte soos omskryf in artikel 1 van die Doeane- en Aksynswet, 1964 (Wet No. 91 van 1964);”;
 - (b) deur na die woordskrywing van „Minister” die volgende woordskrywing in te voeg:

„nageslag”, met betrekking tot ’n dier, parasiet of besmetlike ding, ’n dier, parasiet of besmetlike ding wat deur, uit of deur middel van ’n dier, parasiet of besmetlike ding voortgebring is;”;

Wysiging van artikel 1 van Wet 13 van 1956, soos gewysig deur artikel 1 van Wet 18 van 1967.

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- (c) by the insertion after the definition of "State veterinarian" of the following definition:

"territorial waters of the Republic" means the territorial waters of the Republic as defined in section 2 of the Territorial Waters Act, 1963 (Act No. 87 of 1963);".

Substitution of section 2 of Act 13 of 1956, as amended by section 2 of Act 18 of 1967.

2. The following section is hereby substituted for section 2 of the principal Act:

"Control of importation of animals, parasites and infectious things.

2. (1) No person shall import or cause to be imported into the Republic any animal or parasite, or any infectious thing to which the Minister has by notice in the *Gazette* declared that the provisions of this section shall apply, except under the authority of a permit or contrary to any condition imposed in a permit.

(2) No permit to import into the Republic any animal or any parasite, or any infectious thing referred to in subsection (1), shall be granted to any person who is indebted to the State for any amount in respect of any animal, parasite or infectious thing previously imported by him, until such amount has been paid.

(3) If an animal, parasite or infectious thing imported into the Republic under the authority of a permit referred to in subsection (1) is detained in a quarantine station established under section 18 (1) (c), the holder of such permit shall pay monthly in advance the prescribed fees payable in respect of the feeding, watering and tending of such animal, parasite or infectious thing or the progeny of such animal, parasite or infectious thing at such quarantine station, and if he refuses or fails to do so, the Minister may confiscate such animal, parasite, infectious thing or progeny or cause it to be destroyed or otherwise disposed of, as he may deem fit."

Substitution of section 3 of Act 13 of 1956.

3. The following section is hereby substituted for section 3 of the principal Act:

"Duties of owners of conveyances.

3. Upon the arrival from any place of departure outside the Republic, of any conveyance in the Republic, or of any conveyance, which does not arrive in the Republic, within the territorial waters of the Republic to load goods or to unload its cargo or any part thereof, the owner of such conveyance shall—

- (a) forthwith report in writing to the prescribed person particulars of all animals, parasites and such infectious things as are referred to in section 2 (1) which are in or upon such conveyance or were at any particular time during the voyage or journey to the Republic or the said territorial waters in or upon such conveyance, irrespective of whether or not they or any of them are part of the cargo, load, equipment or stores of the conveyance, or are the property or in the custody of any passenger on, or member of the crew or staff of, such conveyance, and irrespective of whether or not they or any of them are intended to be landed in the Republic;

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- (c) deur na die woordskrywing van „Staatsveearts” die volgende woordskrywing in te voeg:
 „„territoriale waters van die Republiek” die territoriale waters van die Republiek soos omskryf in artikel 2 van die Wet op Territoriale Waters, 1963 (Wet No. 87 van 1963);”.

2. Artikel 2 van die Hoofwet word hierby deur die volgende artikel vervang:

„Beheer van invoer van diere, parasiete en besmetlike dinge.

2. (1) Niemand mag, behalwe op gesag van 'n permit, of strydig met 'n voorwaarde in 'n permit opgelê, 'n dier of 'n parasiet, of 'n besmetlike ding waarop die Minister by kennisgewing in die *Staatskoerant* verklaar het dat die bepalings van hierdie artikel van toepassing is, in die Republiek invoer of laat invoer nie.

(2) Geen permit om 'n dier of 'n parasiet, of 'n besmetlike ding waarna in subartikel (1) verwys word, in die Republiek in te voer, word uitgereik nie aan iemand wat by die Staat in die skuld staan vir enige bedrag ten opsigte van 'n dier, parasiet of besmetlike ding wat vantevore deur hom ingevoer is, alvorens sodanige bedrag betaal is.

(3) Indien 'n dier, parasiet of besmetlike ding wat op gesag van 'n in subartikel (1) bedoelde permit in die Republiek ingevoer is, in 'n kwarantynstasie wat kragtens artikel 18 (1) (c) opgerig is, aangehou word, moet die houer van sodanige permit die voorgeskrewe gelde wat ten opsigte van die kosgee, watergee en versorging van sodanige dier, parasiet of besmetlike ding, of die nageslag van sodanige dier, parasiet of besmetlike ding by sodanige kwarantynstasie betaalbaar is, maandeliks vooruit betaal, en as hy weier of versuim om dit te doen, kan die Minister volgens hy goed ag sodanige dier, parasiet, besmetlike ding of nageslag konfiskeer of van kant laat maak of laat vernietig of andersins daarvoor laat beskik.”.

Vervanging van artikel 2 van Wet 13 van 1956, soos gewysig deur artikel 2 van Wet 18 van 1967.

3. Artikel 3 van die Hoofwet word hierby deur die volgende artikel vervang:

„Pligte van eienaars van vervoermiddels.

3. By die aankoms vanaf 'n plek van vertrek buite die Republiek, van 'n vervoermiddel in die Republiek, of van 'n vervoermiddel wat nie in die Republiek aankom nie in die territoriale waters van die Republiek om goedere op te laai of sy lading of 'n deel daarvan af te laai, moet die eienaar van daardie vervoermiddel—

- (a) onverwyld aan die voorgeskrewe persoon skriftelik besonderhede meedeel van alle diere, parasiete en sodanige besmetlike dinge as waarna in artikel 2 (1) verwys word, wat in of op daardie vervoermiddel is, of op 'n bepaalde tydstip gedurende die vaart of reis na die Republiek of genoemde territoriale waters in of op daardie vervoermiddel was, ongeag of hulle of enige daarvan 'n deel van die lading, vrag, toerusting of voorrade van die vervoermiddel uitmaak, of die eiendom, of in bewaring, van 'n passasier op, of lid van die bemanning of personeel van, daardie vervoermiddel is, en ongeag of hulle of enige daarvan bestem is om in die Republiek afgelaai te word;

Vervanging van artikel 3 van Wet 13 van 1956.

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- (b) include in such report information disclosing—
 - (i) the names of all ports or places visited by such conveyance in the course of its voyage or journey to the Republic or the said territorial waters;
 - (ii) the animals, parasites and such infectious things carried by such conveyance between such ports or places, and the contact which the animals, parasites and such infectious things brought into the Republic, had with them;
 - (iii) the temporary landings on the way of the animals, parasites and such infectious things brought by such conveyance into the Republic;
 - (iv) all cases of sickness and death among the animals and parasites on such conveyance during the voyage or journey to the Republic or the said territorial waters;
 - (v) the measures taken during the voyage or journey for the disinfection of such conveyance; and
 - (vi) such other particulars as the Minister may prescribe;
- (c) confine and keep in secure confinement in or upon such conveyance all animals and parasites therein or thereon, and prevent their escape or removal therefrom, until an officer has in writing authorized their removal, release or disposal otherwise;
- (d) thereafter, forthwith report in writing to the prescribed person the death of any animal or parasite while so confined, and the unauthorized disappearance of any animal or parasite from such confinement; and
- (e) confine and keep in secure confinement in or upon such conveyance any such infectious thing therein or thereon, and prevent its removal therefrom, until an officer has in writing authorized its removal, release or disposal otherwise.”

Substitution of
section 4 of
Act 13 of 1956.

4. The following section is hereby substituted for section 4 of the principal Act:

“Detention and disposal of certain animals, parasites, infectious things and other things introduced into the Republic. 4. (1) If when any animal parasite, infectious thing or other thing is introduced or comes into the Republic, it appears to a State veterinarian that such animal, parasite, infectious thing or other thing may introduce or spread disease into or within the Republic, he may seize it, and detain it or cause it to be detained by any person, in isolation, pending the Minister’s direction, under subsection (3), as to its disposal.

(2) The director may at any time and place cause to be seized and detained in isolation, by any person, pending the Minister’s direction under subsection (3) as to its disposal, any animal, parasite, infectious thing or other thing which has been introduced or has come into the Republic, and which in his opinion may introduce or spread disease into or within the Republic.

(3) The Minister may in respect of any animal, parasite, infectious thing or other thing detained under subsection (1) or (2)—

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- (b) in daardie mededeling ook inligting verstrek wat aantoon—
- (i) die name van alle hawens of plekke waar daardie vervoermiddel op sy vaart of reis na die Republiek of bedoelde territoriale waters aangedoen het;
 - (ii) die diere, parasiete en sodanige besmetlike dinge wat deur daardie vervoermiddel tussen daardie hawens of plekke vervoer is, en die kontak wat die diere, parasiete en sodanige besmetlike dinge wat in die Republiek ingebring is, daarmee gehad het;
 - (iii) die tydelike aflaai, onderweg, van die diere, parasiete en sodanige besmetlike dinge wat deur dié vervoermiddel in die Republiek ingebring is;
 - (iv) alle gevalle van siekte of dood onder die diere en parasiete op dié vervoermiddel tydens die vaart of reis na die Republiek of bedoelde territoriale waters;
 - (v) die maatreëls getref, tydens die vaart of reis, vir die ontsmetting van dié vervoermiddel; en
 - (vi) die ander besonderhede wat die Minister voorskryf;
- (c) alle diere en parasiete wat in of op daardie vervoermiddel is, daarin of daarop insluit en in veilige insluiting hou, en verhoed dat hulle daaruit ontsnap of verwyder word, totdat 'n beampte skriftelike magtiging verleen het dat hulle verwyder, vrygelaat of daar andersins oor hulle beskik word;
- (d) daarna, onverwyld aan die voorgeskrewe persoon skriftelik kennis gee van die doodgaan van 'n dier of parasiet terwyl dit aldus ingesluit is, en van die ongemagtigde verdwyning van 'n dier of parasiet uit sodanige insluiting; en
- (e) so 'n besmetlike ding wat in of op dié vervoermiddel is, daarin of daarop insluit en in veilige insluiting hou en verhoed dat dit daarvandaan verwyder word, totdat 'n beampte skriftelike magtiging verleen het dat dit verwyder, vrygestel of andersins daarvoor beskik word.”

4. Artikel 4 van die Hoofwet word hierby deur die volgende artikel vervang:

„Aanhou van en beskikking oor sekere diere, parasiete, besmetlike dinge en ander dinge wat die Republiek ingebring is.

4. (1) Indien dit vir 'n Staatsveearts skyn wanneer 'n dier, parasiet, besmetlike ding of ander ding die Republiek ingebring word, of daarin kom, dat daardie dier, parasiet, besmetlike ding of ander ding siekte in die Republiek kan inbring of versprei, kan hy beslag daarop lê en, hangende die Minister se opdrag, kragtens subartikel (3), wat betref die beskikking daarvoor, dit in afsondering hou of deur iemand laat hou.

(2) Die direkteur kan, te eniger tyd en op enige plek, deur iemand beslag laat lê op 'n dier, parasiet, besmetlike ding of ander ding wat die Republiek ingebring is of daarin gekom het en wat na sy mening siekte in die Republiek kan inbring of versprei, en, hangende die Minister se opdrag kragtens subartikel (3) wat betref die beskikking daarvoor, dit in afsondering deur iemand laat hou.

(3) Die Minister kan met betrekking tot 'n dier, parasiet, besmetlike ding of ander ding wat ingevolge subartikel (1) of (2) gehou word—

Vervanging van artikel 4 van Wet 13 van 1956.

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- (a) order that it be destroyed;
- (b) order the owner to remove it from the Republic within such time and in such manner and by such route as the Minister may direct;
- (c) grant permission for it to be kept in the Republic subject to such conditions as he may impose; or
- (d) make such other order for its disposal as he may deem fit.”.

Substitution of section 5 of Act 13 of 1956, as substituted by section 42 of Act 70 of 1968.

5. The following section is hereby substituted for section 5 of the principal Act:

“Disposal of animals, parasites and infectious things which in the Minister’s opinion were unlawfully introduced into the Republic, and their progeny.

5. (1) If there is found within the Republic—
- (a) any animal, parasite or infectious thing which in the opinion of the Minister was introduced or came into the Republic in contravention of the provisions of this Act; or
 - (b) any animal, parasite or infectious thing which in the opinion of the Minister is the progeny of an animal, parasite or infectious thing which in his opinion was introduced or came into the Republic in contravention of the provisions of this Act or of a law repealed by this Act,
- he may confiscate it or cause it to be destroyed or otherwise disposed of, as he may deem fit.
- (2) If any officer, customs officer, authorized person or police officer on reasonable grounds believes or suspects that—
- (a) any animal, parasite or infectious thing was introduced or came into the Republic in contravention of the provisions of this Act; or
 - (b) any animal, parasite or infectious thing is the progeny of any animal, parasite or infectious thing which he on reasonable grounds believes or suspects was introduced or came into the Republic in contravention of the provisions of this Act or of a law repealed by this Act,
- he may seize it and detain it in isolation, or require the occupier of the land whereon such animal, parasite or infectious thing may be, or the owner of such animal, parasite or infectious thing, so to detain it, or, if he finds such animal, parasite or infectious thing in a public road or place, require the occupier of any land in the vicinity so to do, and shall forthwith report the finding of such animal, parasite or infectious thing in the manner prescribed.
- (3) The Minister may confiscate any animal, parasite or infectious thing dealt with in terms of subsection (2), or cause it to be destroyed or otherwise disposed of, as he may deem fit.”.

Insertion of sections 5A and 5B in Act 13 of 1956.

6. The following sections are hereby inserted in the principal Act after section 5:

“Transfer of animals, parasites and infectious things from conveyances prohibited.

5A. (1) No person shall, without written authorization from an officer, transfer any animal, parasite or infectious thing from any conveyance which has arrived in the Republic, or in the territorial waters of the Republic, from any place of departure outside the Republic, to any other conveyance.

(2) Any officer, customs officer, authorized person or police officer may seize any such animal, parasite or infectious thing, or any animal, parasite or infectious thing which he on reasonable grounds

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- (a) gelas dat dit van kant gemaak of vernietig word;
- (b) gelas dat die eienaar dit binne die tydperk en op die wyse en langs die roete wat die Minister bepaal uit die Republiek verwyder;
- (c) toestemming verleen dat dit, behoudens die voorwaardes wat hy oplê, in die Republiek gehou word; of
- (d) sodanige ander bevel aangaande die beskikking daaroor uitreik as wat hy goed ag."

5. Artikel 5 van die Hoofwet word hierby deur die volgende artikel vervang:

„Beskikking oor diere, parasiete en besmetlike dinge wat na die mening van die Minister onwettiglik in die Republiek ingebring is, en hul nageslag.

5. (1) Wanneer daar in die Republiek—

- (a) 'n dier, parasiet of besmetlike ding gevind word wat na die mening van die Minister in stryd met die bepalings van hierdie Wet die Republiek ingebring is of daarin gekom het; of
- (b) 'n dier, parasiet of besmetlike ding gevind word wat na die mening van die Minister die nageslag is van 'n dier, parasiet of besmetlike ding wat na sy mening in stryd met die bepalings van hierdie Wet of van 'n wet wat deur hierdie Wet herroep is, die Republiek ingebring is of daarin gekom het,

kan hy, volgens hy goed ag, dit konfiskeer of van kant laat maak of laat vernietig of andersins daaroor laat beskik.

(2) Wanneer 'n beampte, doeanebeampte, gemagtigde persoon of polisiebeampte op redelike gronde van mening is of vermoed dat—

- (a) 'n dier, parasiet of besmetlike ding in stryd met die bepalings van hierdie Wet die Republiek ingebring is of daarin gekom het; of
- (b) 'n dier, parasiet of besmetlike ding die nageslag is van 'n dier, parasiet of besmetlike ding ten opsigte waarvan hy op redelike gronde van mening is of vermoed dat dit in stryd met die bepalings van hierdie Wet of van 'n wet deur hierdie Wet herroep, die Republiek ingebring is of daarin gekom het,

kan hy beslag daarop lê en dit in afsondering hou, of eis dat die bewoner van die grond waarop dié dier, parasiet of besmetlike ding is, of die eienaar van dié dier, parasiet of besmetlike ding, dit aldus hou, of indien hy dié dier, parasiet of besmetlike ding op 'n openbare pad of in 'n openbare plek vind, eis dat die bewoner van grond in die nabyheid dit doen, en moet hy onverwyld die vind van dié dier, parasiet of besmetlike ding op die voorgeskrewe wyse aanmeld.

(3) Die Minister kan, volgens hy goed ag, 'n dier, parasiet of besmetlike ding waarmee ingevolge subartikel (2) gehandel is, konfiskeer of van kant laat maak of laat vernietig of andersins daaroor laat beskik."

6. Die volgende artikels word hierby in die Hoofwet na artikel 5 ingevoeg:

„Oorplasing van diere, parasiete en besmetlike dinge vanaf vervoermiddels verbode.

5A. (1) Niemand mag 'n dier, parasiet of besmetlike ding vanaf 'n vervoermiddel wat in die Republiek, of in die territoriale waters van die Republiek, vanaf 'n plek van vertrek buite die Republiek aangekom het, sonder skriftelike magtiging van 'n beampte oorplaas na 'n ander vervoermiddel nie.

(2) 'n Beampte, doeanebeampte, gemagtigde persoon of polisiebeampte kan beslag lê op so 'n dier, parasiet of besmetlike ding, of op 'n dier, parasiet of besmetlike ding ten opsigte waarvan hy op redelike gronde van mening is of vermoed dat dit so 'n

Vervanging van artikel 5 van Wet 13 van 1956, soos vervang deur artikel 42 van Wet 70 van 1968.

Invoeging van artikels 5A en 5B in Wet 13 van 1956.

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believes or suspects is such an animal, parasite or infectious thing, and detain it or cause it to be detained by any person pending the Minister's decision, under subsection (3), as to its disposal.

(3) The Minister may confiscate any animal, parasite or infectious thing dealt with under subsection (2), or cause it to be destroyed or otherwise disposed of, as he may deem fit.

Seizure and disposal of certain conveyances.

5B. (1) If any person by means of any conveyance introduces, in contravention of the provisions of this Act, into the Republic any animal, parasite or infectious thing which comes from any vessel or aircraft which has arrived within the territorial waters of the Republic from any place of departure outside the Republic, any officer, customs officer, authorized person or police officer may seize the said conveyance and detain it or cause it to be detained by any person pending the Minister's decision, under subsection (3), as to its disposal.

(2) If any person, by means of any vehicle, or any aircraft which from any place of departure outside the Republic first lands in the Republic at any place which has not been appointed or prescribed, under section 6(1)(e) of the Customs and Excise Act, 1964 (Act No. 91 of 1964), to be a customs and excise airport, introduces, in contravention of the provisions of this Act, any animal, parasite or infectious thing into the Republic, any officer, customs officer, authorized person or police officer may seize the said vehicle or aircraft and detain it or cause it to be detained by any person pending the Minister's decision, under subsection (3), as to its disposal.

(3) The Minister may confiscate any conveyance, vehicle or aircraft dealt with under subsection (1) or (2), or cause it to be otherwise disposed of, as he may deem fit."

Amendment of section 18 of Act 13 of 1956.

7. Section 18 of the principal Act is hereby amended—

(a) by the substitution for paragraph (c) of subsection (1) of the following paragraph:

- "(c) (i) establish or cause to be established, at any place in the Republic, quarantine stations for the accommodation of animals, parasites and infectious things liable to be detained or isolated under this Act, and the progeny of such animals, parasites and infectious things;
- (ii) declare any place where any animal, parasite or infectious thing or the progeny of any animal, parasite or infectious thing which is seized under section 5 is found, to be a quarantine station for the accommodation of such animal, parasite, infectious thing or progeny, until such time as it is otherwise disposed of;" and

(b) by the substitution for paragraph (d) of that subsection of the following paragraph:

"(d) reserve for observation or treatment any animal, parasite or infectious thing, or the progeny of any animal, parasite or infectious thing, liable to be destroyed under this Act; and"

Amendment of section 19 of Act 13 of 1956.

8. Section 19 of the principal Act is hereby amended—

(a) by the substitution for subsection (1) of the following subsection:

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dier, parasiet of besmetlike ding is, en hangende die Minister se opdrag kragtens subartikel (3), wat betref die beskikking daaroor, dit hou of deur iemand laat hou.

(3) Die Minister kan, volgens hy goed ag, 'n dier, parasiet of besmetlike ding waarmee kragtens subartikel (2) gehandel is, konfiskeer of van kant laat maak of laat vernietig of andersins daaroor laat beskik.

Beslag-
legging op
en beskik-
king oor
sekere ver-
voermiddels.

5B. (1) Wanneer iemand, deur middel van 'n vervoermiddel, in stryd met die bepalings van hierdie Wet 'n dier, parasiet of besmetlike ding in die Republiek inbring wat afkomstig is van 'n vaartuig of vliegtuig wat in die territoriale waters van die Republiek vanaf 'n plek van vertrek buite die Republiek aangekom het, kan 'n beamppte, doeane-beamppte, gemagtigde persoon of polisiebeamppte op genoemde vervoermiddel beslag lê en, hangende die Minister se opdrag kragtens subartikel (3), wat betref die beskikking daaroor, dit hou of deur iemand laat hou.

(2) Wanneer iemand deur middel van 'n voertuig, of 'n vliegtuig wat vanaf 'n plek van vertrek buite die Republiek binne die Republiek vir die eerste keer land op 'n plek wat nie as 'n doeane- en aksynslughawe kragtens artikel 6 (1) (e) van die Doeane- en Aksynswet, 1964 (Wet No. 91 van 1964), aangewys of voorgeskryf is nie, 'n dier, parasiet of besmetlike ding in stryd met die bepalings van hierdie Wet die Republiek inbring, kan 'n beamppte, doeane-beamppte, gemagtigde persoon of polisiebeamppte op bedoelde voertuig of vliegtuig beslag lê en, hangende die Minister se opdrag kragtens subartikel (3), wat betref die beskikking daaroor, dit hou of deur iemand laat hou.

(3) Die Minister kan, volgens hy goed ag, 'n vervoermiddel, voertuig of vliegtuig waarmee kragtens subartikel (1) of (2) gehandel is, konfiskeer of andersins daaroor laat beskik."

7. Artikel 18 van die Hoofwet word hierby gewysig—

(a) deur paragraaf (c) van subartikel (1) deur die volgende paragraaf te vervang:

Wysiging van
artikel 18 van
Wet 13 van 1956.

„(c) (i) op enige plek in die Republiek kwarantynstasies vir die akkommodasie van diere, parasiete en besmetlike dinge wat aan aanhouding of afsondering kragtens hierdie Wet blootstaan, en die nageslag van sodanige diere, parasiete en besmetlike dinge, oprig of laat oprig;

(ii) 'n plek waar 'n dier, parasiet of besmetlike ding of die nageslag van 'n dier, parasiet of besmetlike ding gevind word waarop kragtens artikel 5 beslag gelê word, tot 'n kwarantynstasie vir die akkommodasie van sodanige dier, parasiet, besmetlike ding of nageslag verklaar, tot tyd en wyl andersins daaroor beskik word;" en

(b) deur paragraaf (d) van daardie subartikel deur die volgende paragraaf te vervang:

„(d) 'n dier, parasiet of besmetlike ding of die nageslag van 'n dier, parasiet of besmetlike ding wat aan vankantmaking of vernietiging kragtens hierdie Wet blootstaan, vir waarneming of behandeling hou; en"

8. Artikel 19 van die Hoofwet word hierby gewysig—

(a) deur subartikel (1) deur die volgende subartikel te vervang:

Wysiging van
artikel 19 van
Wet 13 van 1956.

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“(1) Any officer, customs officer, authorized person or police officer may enter upon any land or conveyance, and take with him such assistants, whether officers or not, and such animals, vehicles, appliances, instruments, tools, drugs and other things as he may deem necessary for his purpose, and there—

- (a) do any thing which he is empowered or required to do in terms of this Act;
 - (b) supervise and inspect the doing of any thing which any other person is required to do in terms of this Act;
 - (c) search for, and require the owner, occupier or any other person for the time being in charge there to produce to him, any animal, parasite, infectious thing or other thing or the progeny of any animal, parasite or infectious thing which may be there or which he on reasonable grounds believes or suspects may be there, and to which any provision of this Act applies;
 - (d) check, count, inspect and establish the identity of any such animals, parasites, infectious things or other things which he finds there by virtue of the provisions of paragraph (c);
 - (e) ascertain whether any such animal, parasite, infectious thing or other thing is infected with disease;
 - (f) ascertain whether any thing required to be done in terms of this Act has been, or is being, done; and
 - (g) seize and detain, or cause to be detained by any person, pending the Minister's decision as to its disposal, any animal, parasite, infectious thing or other thing in respect of which he, on reasonable grounds, believes or suspects that any provision of this Act has been contravened, or which in his opinion is likely to spread disease or parasites.”;
- (b) by the substitution for subsection (2) of the following subsection:

“(2) For the purpose of ascertaining—

- (A) whether any animal or thing is infected with disease;
- (B) whether any animal, parasite or infectious thing was introduced or came into the Republic in contravention of the provisions of this Act;
- (C) whether any animal, parasite or infectious thing is the progeny of any animal, parasite or infectious thing which was introduced or came into the Republic in contravention of the provisions of this Act, or of a law repealed by this Act,

a State veterinarian may—

- (a) call upon any person concerned in, or having any part in, the care, control or management of such animal, parasite, infectious thing or other thing, to furnish him with such information relating to such animal, parasite, infectious thing or other thing as is within his knowledge and is, in the opinion of such veterinarian, necessary for a correct diagnosis or for deciding on any matter referred to in paragraph (B) or (C) or the measures which should be taken to control and prevent the spread of disease;
- (b) examine or test such animal, parasite, infectious thing or other thing in such manner as he may deem necessary;
- (c) make an examination of any dead animal in order to reach a correct diagnosis or to determine the origin of such animal and, if he deems it

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- „(1) 'n Beampte, doeane-beampte, gemagtigde persoon of polisiebeampte kan enige grond of vervoermiddel betree en saam met hom die helpers, of hulle beamptes is al dan nie, en die diere, voertuie, toestelle, instrumente, gereedskap, medisyne en ander goed wat hy vir sy doel nodig ag, met hom saamneem, en daar—
- (a) enige ding doen wat hy ingevolge hierdie Wet gemagtig is of vereis word om te doen;
 - (b) die doen van enigiets wat iemand anders ingevolge hierdie Wet vereis word om te doen, inspekteer of toesig daaroor hou;
 - (c) soek na 'n dier, parasiet, besmetlike ding of ander ding of die nageslag van 'n dier, parasiet of besmetlike ding, wat daar is of ten opsigte waarvan hy op redelike gronde van mening is of vermoed dat dit daar is en waarop die bepalings van hierdie Wet van toepassing is, en eis dat die eienaar, bewoner of iemand anders wat daar op die oomblik die beheer het dit aan hom toon;
 - (d) die diere, parasiete, besmetlike dinge of ander dinge wat hy ingevolge die bepalings van paragraaf (c) daar vind, nagaan, tel, inspekteer en hul identiteit vasstel;
 - (e) vasstel of so 'n dier, parasiet, besmetlike ding of ander ding met siekte besmet is;
 - (f) vasstel of iets wat ingevolge hierdie Wet gedoen moet word, gedoen is of gedoen word; en
 - (g) op 'n dier, parasiet, besmetlike ding of ander ding ten opsigte waarvan hy op redelike gronde van mening is of vermoed dat 'n bepaling van hierdie Wet oortree is, of wat na sy mening waarskynlik siekte of parasiete sal versprei, beslag lê en dit hangende die beslissing van die Minister wat betref die beskikking daaroor, hou of deur iemand laat hou.”; en
- (b) deur subartikel (2) deur die volgende subartikel te vervang:
- „(2) Ten einde vas te stel—
- (A) of 'n dier of ding met siekte besmet is;
 - (B) of 'n dier, parasiet of besmetlike ding in stryd met die bepalings van hierdie Wet in die Republiek ingebring is of daarin gekom het;
 - (C) of 'n dier, parasiet of besmetlike ding die nageslag is van 'n dier, parasiet of besmetlike ding wat in stryd met die bepalings van hierdie Wet of van 'n wet wat deur hierdie Wet herroep is, die Republiek ingebring is of daarin gekom het,
- kan 'n Staatsveearts—
- (a) eis dat iemand wat by die versorging, beheer of bestuur van so 'n dier, parasiet, besmetlike ding of ander ding betrokke is of 'n aandeel het, aan hom die inligting met betrekking tot so 'n dier, parasiet, besmetlike ding of ander ding verstrek waarvan hy kennis dra en wat, na die mening van so 'n veearts, nodig is vir 'n juiste diagnose of om tot 'n besluit te kom aangaande 'n aangeleentheid in paragraaf (B) of (C) bedoel of die maatreëls wat getref moet word om die verspreiding van siekte te beheer en te voorkom;
 - (b) so 'n dier, parasiet, besmetlike ding of ander ding op die wyse wat hy nodig ag, ondersoek of toets;
 - (c) 'n dooie dier ondersoek ten einde 'n juiste diagnose te maak of die herkoms van dié dier te bepaal en, indien hy dit nodig ag, enige ander dier, waarvan

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necessary, slaughter any other animal, the post-mortem examination of which would, in his opinion, assist therein;

(d) remove any organ or part of a dead or slaughtered animal for further examination;

(e) take possession of any animal, parasite or infectious thing in order to determine its origin or its relationship to any species of animal, parasite or infectious thing; and

(f) generally make or cause to be made such further investigation as he may deem necessary.”.

Substitution of
section 23 of
Act 13 of 1956.

The following section is hereby substituted for section 23 of the principal Act:

“Restriction upon actions against State for anything done in good faith. 23. Except where otherwise provided for in this Act, no action shall lie against the State, the Minister, any officer, customs officer, authorized person or police officer, for anything done in good faith under this Act.”.

Amendment of
section 24 of
Act 13 of 1956.

10. Section 24 of the principal Act is hereby amended—

(a) by the substitution, in paragraph (a) of subsection (1), for all the words preceding the proviso, of the following words:

“(a) If any animal, parasite, infectious thing or other thing is destroyed or otherwise disposed of under the provisions of this Act, compensation shall be payable to the owner thereof.”;

(b) by the substitution for paragraph (c) of that subsection of the following paragraph:

“(c) If any animal, parasite or infectious thing, or the progeny of any animal, parasite or infectious thing, or any other thing or any conveyance is confiscated under the provisions of this Act, no compensation shall be payable in respect thereof unless the Minister otherwise directs.”;

(c) by the substitution for subsection (3) of the following subsection:

“(3) If any compensation is payable in respect of any animal, parasite, infectious thing or other thing, the Minister shall deduct from such compensation any expense incurred, payable or reimbursed in terms of this Act by the State, in connection with such animal, parasite, infectious thing or other thing, and not recovered from the owner thereof.”;

(d) by the substitution for subsection (6) of the following subsection:

“(6) If any compensation is payable in respect of any animal, parasite or infectious thing, reserved for observation or treatment, or any animal, parasite, infectious thing or other thing confiscated under this Act, the provisions of subsections (4) and (5) shall *mutatis mutandis* apply in respect thereof.”;

(e) by the substitution for subsection (7) of the following subsection:

“(7) If any compensation is payable in respect of any animal, parasite, infectious thing, conveyance or other thing that was insured, the Minister may deduct from such compensation a sum equal to the amount payable, in terms of such insurance, to the owner of such animal, parasite, infectious thing, conveyance or other thing on the occurrence of the event in respect of which such compensation is payable.”;

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die nadoodse ondersoek na sy mening daartoe sal meehelp, afmaak;

- (d) 'n orgaan of deel van 'n dooie dier of geslagte dier vir nadere ondersoek verwyder;
- (e) 'n dier, parasiet of besmetlike ding in besit neem ten einde die herkoms daarvan of die verwantskap daarvan met enige soort dier, parasiet of besmetlike ding te bepaal; en
- (f) in die algemeen, die verdere ondersoek wat hy nodig ag, instel of laat instel."

9. Artikel 23 van die Hoofwet word hierby deur die volgende artikel vervang:

„Beperking op gedinge teen die Staat op grond van iets te goeder trou gedoen. 23. Behalwe vir sover anders in hierdie Wet bepaal word, is die Staat, die Minister, 'n beamppte, doeanebeamppte, gemagtigde persoon of polisie-beamppte nie vir enigiets wat te goeder trou kragtens hierdie Wet gedoen is, aanspreeklik nie."

Vervanging van artikel 23 van Wet 13 van 1956.

10. Artikel 24 van die Hoofwet word hierby gewysig—

- (a) deur in paragraaf (a) van subartikel (1) al die woorde voor die voorbehoudsbepaling deur die volgende woorde te vervang:

„(a) Wanneer 'n dier, parasiet, besmetlike ding of ander ding kragtens die bepalings van hierdie Wet van kant gemaak, vernietig of andersins oor beskik word, is vergoeding aan die eienaar daarvan betaalbaar:";

- (b) deur paragraaf (c) van daardie subartikel deur die volgende paragraaf te vervang:

„(c) Wanneer 'n dier, parasiet of besmetlike ding, of die nageslag van 'n dier, parasiet of besmetlike ding, of 'n ander ding of 'n vervoermiddel, kragtens die bepalings van hierdie Wet gekonfiskeer word, is geen vergoeding ten opsigte daarvan betaalbaar nie, tensy die Minister die teendeel gelas."

- (c) deur subartikel (3) deur die volgende subartikel te vervang:

„(3) Wanneer vergoeding ten opsigte van 'n dier, parasiet, besmetlike ding of ander ding betaalbaar is, moet die Minister van sodanige vergoeding die uitgawes aftrek wat ingevolge hierdie Wet deur die Staat ten opsigte van so 'n dier, parasiet, besmetlike ding of ander ding aangegaan, betaalbaar of vergoed is, en wat nie op die eienaar daarvan verhaal is nie."

- (d) deur subartikel (6) deur die volgende subartikel te vervang:

„(6) Wanneer vergoeding betaalbaar is ten opsigte van 'n dier, parasiet of besmetlike ding wat kragtens hierdie Wet vir waarneming of behandeling gehou is, of ten opsigte van 'n dier, parasiet, besmetlike ding of ander ding wat kragtens hierdie Wet gekonfiskeer is, is die bepalings van subartikels (4) en (5) *mutatis mutandis* ten opsigte daarvan van toepassing."

- (e) deur subartikel (7) deur die volgende subartikel te vervang:

„(7) Wanneer vergoeding ten opsigte van 'n dier, parasiet, besmetlike ding, vervoermiddel of ander ding wat verseker was, betaalbaar is, kan die Minister van dié vergoeding 'n bedrag aftrek wat gelyk is aan die bedrag wat uit hoofde van sodanige versekering aan die eienaar van so 'n dier, parasiet, besmetlike ding, vervoermiddel of ander ding betaalbaar is by die plaasvind van die gebeurtenis ten opsigte waarvan dié vergoeding betaalbaar is;" en

Wysiging van artikel 24 van Wet 13 van 1956.

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- (f) by the substitution for subsection (8) of the following subsection:

“(8) The Minister may, in his discretion, withhold, either wholly or in part, any compensation payable in respect of any animal, parasite, infectious thing or other thing, or the progeny of any animal, parasite or infectious thing, if in his opinion the owner or person who had the charge thereof committed an offence under this Act in respect thereof, or if in his opinion such animal, parasite or infectious thing, having been imported into the Republic, was diseased at the time when it entered the Republic or could, either by itself or through its progeny, have caused disease or the spread of disease or parasites in the Republic.”.

Amendment of
section 27 of
Act 13 of 1956.

11. Section 27 of the principal Act is hereby amended—

- (a) by the substitution for subparagraph (i) of paragraph (a) of subsection (1) of the following subparagraph:

“(i) prohibiting, controlling, regulating or restricting the treatment, importation, landing, trans-shipment, movement and the removal in, into or from the Republic, of animals, parasites and infectious things; and”;

- (b) by the substitution for paragraph (e) of subsection (1) of the following paragraph:

“(e) controlling and regulating the establishment and use of quarantine stations and the management of animals, parasites and infectious things therein, and the progeny therein of such animals, parasites and infectious things, including the feeding, watering and tending of, the removal therefrom of, and the access to, such animals, parasites, infectious things and progeny;”;

- (c) by the substitution for paragraph (h) of that subsection of the following paragraph:

“(h) prescribing the scales of compensation payable in respect of any animal, parasite, infectious thing or other thing confiscated, destroyed, reserved for observation or treatment or otherwise disposed of under the provisions of this Act, the manner in which and the form on which application for such compensation shall be made, and the particulars to be furnished in such form;”;

- (d) by the substitution for paragraph (l) of that subsection of the following paragraph:

“(l) as to the compulsory detention, inoculation, treatment, disinfection and cleansing of any animal, parasite or infectious thing or the progeny of any animal, parasite or infectious thing on any land or in any area, and the compulsory removal and exclusion of any animal, parasite or infectious thing or the progeny of any animal, parasite or infectious thing from such land or area;”.

Amendment of
section 28 of
Act 13 of 1956,
as amended by
section 3 of
Act 18 of 1967

12. Section 28 of the principal Act is hereby amended—

- (a) by the substitution for paragraph (b) of subsection (1) of the following paragraph:

“(b) is found in possession of any animal, parasite or infectious thing, or the progeny of any animal, parasite or infectious thing, with regard to which there is at any time a reasonable suspicion that such animal, parasite or infectious thing was introduced or came into or is in the Republic in contravention of the provisions of this Act or any law repealed by this Act;”;

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(f) deur subartikel (8) deur die volgende subartikel te vervang:

„(8) Die Minister kan na goedgekeurde die vergoeding wat ten opsigte van 'n dier, parasiet, besmetlike ding of ander ding, of die nageslag van 'n dier, parasiet of besmetlike ding betaalbaar is, geheel en al of deels terughou indien, na sy mening, die eienaar daarvan of die persoon wat die toesig daarvoor gehad het 'n oortreding ten opsigte daarvan kragtens hierdie Wet gepleeg het of indien, na sy mening, daardie dier, parasiet of besmetlike ding, indien dit in die Republiek ingevoer is, aan 'n siekte gelyk het toe dit die Republiek binnegekom het of hetsy self of deur sy nageslag verantwoordelik kon gewees het vir die ontstaan of verspreiding van siekte of parasiet in die Republiek.”.

11. Artikel 27 van die Hoofwet word hierby gewysig—

Wysiging van
artikel 27 van
Wet 13 van 1956.

(a) deur subparagraaf (i) van paragraaf (a) van subartikel (1) deur die volgende subparagraaf te vervang:

„(i) die behandeling, invoer, aflaai, oorskeping, beweging en verwydering van diere, parasiete en besmetlike dinge in, na of vanuit die Republiek verbied, beheer, reguleer of beperk; en”;

(b) deur paragraaf (e) van subartikel (1) deur die volgende paragraaf te vervang:

„(e) wat die oprigting en gebruik van kwarantynstasies en die beheer van diere, parasiete en besmetlike dinge daarin, en die nageslag daarin van sodanige diere, parasiete en besmetlike dinge, met inbegrip van die kosgee, watergee, versorging en verwydering daaruit van, en toegang tot, sodanige diere, parasiete, besmetlike dinge en nageslag, beheer en reguleer;”;

(c) deur paragraaf (h) van daardie subartikel deur die volgende paragraaf te vervang:

„(h) wat die skale van vergoeding wat ten opsigte van 'n dier, parasiet, besmetlike ding of ander ding betaalbaar is wat kragtens die bepalings van hierdie Wet gekonfiskeer, van kant gemaak, vernietig, vir waarneming of behandeling gehou of waaroor anders beskik is, die wyse en die vorm waarop aansoek om sodanige vergoeding gedoen moet word en die besonderhede wat in so 'n vorm verstrekk moet word, voorskryf;”;

(d) deur paragraaf (l) van daardie subartikel deur die volgende paragraaf te vervang:

„(l) betreffende die verpligte aanhouding, inenting, behandeling, ontsmetting en skoonmaak van enige dier, parasiet of besmetlike ding of die nageslag van 'n dier, parasiet of besmetlike ding op enige grond of in enige gebied, en betreffende die verpligte verwydering en uitsluiting van enige dier, parasiet of besmetlike ding of die nageslag van 'n dier, parasiet of besmetlike ding van daardie grond of gebied;”.

12. Artikel 28 van die Hoofwet word hierby gewysig—

Wysiging van
artikel 28 van
Wet 13 van 1956,
soos gewysig deur
artikel 3 van
Wet 18 van 1967.

(a) deur paragraaf (b) van subartikel (1) deur die volgende paragraaf te vervang:

„(b) in besit van 'n dier, parasiet of besmetlike ding, of die nageslag van 'n dier, parasiet of besmetlike ding, gevind word ten opsigte waarvan daar te eniger tyd 'n redelike vermoede bestaan dat so 'n dier, parasiet of besmetlike ding strydig met die bepalings van hierdie Wet of 'n deur hierdie Wet herroepende wet die Republiek ingebring is of ingekom het of daarin is;”;

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(b) by the substitution for paragraph (c) of that subsection of the following paragraph:

“(c) contravenes or fails to comply with the provisions of section 2 (1), 3 (c) or (e), 5A (1), 6 (1), 7, 8, 9, 10, 12, 13 (8), 16 (6) or 21 (3);”;

(c) by the substitution for paragraph (k) of that subsection of the following paragraph:

“(k) wilfully refuses or fails to comply with any requirement made by any officer, customs officer, authorized person or police officer under section 5 (2), 6 (2) or 19 (1) (c) or (3);”;

(d) by the substitution for subparagraph (aa) of paragraph (ii) of that subsection of the following subparagraph:

“(aa) a first conviction under this Act, to a fine not exceeding one thousand rand or, in default of payment, to imprisonment for a period not exceeding six months, or, in the case of an offence referred to in paragraph (b) of this subsection, or of a contravention of, or failure to comply with, the provisions of section 2 (1), 3 (c) or (e), 7, 8 or 9, to such fine or to such imprisonment without the option of a fine or to both such fine and such imprisonment;”.

Insertion of
section 28A in
Act 13 of 1956.

13. The following section is hereby inserted in the principal Act after section 28:

“Acts or
omissions
of
managers,
agents or
employees.

28A. (1) Whenever any manager, agent or employee of any owner of a conveyance or of any other person (which owner or other person is hereinafter called the employer) does or omits to do any act which it would be an offence under this Act for such employer to do or omit to do, that employer shall be presumed himself to have done or omitted to do that act, and be liable to be convicted and sentenced in respect thereof, unless it is proved that—

(a) in doing or omitting to do that act the manager, agent or employee was acting without the connivance or the permission of such employer; and

(b) all reasonable steps were taken by such employer to prevent any act or omission of the kind in question; and

(c) it was not under any condition or circumstance within the scope of the authority or in the course of the employment of such manager, agent or employee to do or to omit to do acts whether lawful or unlawful of the character of the act or omission charged,

and the fact that such employer issued instructions forbidding any act or omission of the kind in question shall not, of itself, be accepted as sufficient proof that he took all reasonable steps to prevent the act or omission charged.

(2) Whenever any manager, agent or employee of any such employer does or omits to do an act which it would be an offence under this Act for such employer to do or omit to do, such manager, agent or employee shall be liable to be convicted and sentenced in respect thereof as if he were that employer.

(3) Any such manager, agent or employee may be so convicted and sentenced in addition to the employer concerned.

(4) For the purposes of this section manager, agent or employee, in relation to the owner of a conveyance, includes any person employed in connection with such conveyance under the control of such owner.”.

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(b) deur paragraaf (c) van daardie subartikel deur die volgende paragraaf te vervang:

„(c) die bepalings van artikel 2 (1), 3 (c) of (e), 5A (1), 6 (1), 7, 8, 9, 10, 12, 13 (8), 16 (6) of 21 (3) oortree of versuim om dit na te kom;”;

(c) deur paragraaf (k) van daardie subartikel deur die volgende paragraaf te vervang:

„(k) opsetlik weier of versuim om 'n vereiste wat 'n beampte, doeanebeampte, gemagtigde persoon of polisiebeampte kragtens artikel 5 (2), 6 (2) of 19 (1) (c) of (3) gestel het, na te kom;”;

(d) deur subparagraaf (aa) van paragraaf (ii) van daardie subartikel deur die volgende subparagraaf te vervang:

„(aa) 'n eerste skuldigbevinding ingevolge hierdie Wet is, met 'n boete van hoogstens duisend rand of, by wanbetaling, met gevangenisstraf vir 'n tydperk van hoogstens ses maande, of, in die geval van 'n misdryf waarna in paragraaf (b) van hierdie subartikel verwys word, of van 'n oortreding van die bepalings van artikel 2 (1), 3 (c) of (e), 7, 8 of 9, of 'n versuim om dit na te kom, met sodanige boete of met sodanige gevangenisstraf sonder die keuse van 'n boete of met sowel sodanige boete as sodanige gevangenisstraf;”.

13. Die volgende artikel word hierby in die Hoofwet na Invoeging van artikel 28A in Wet 13 van 1956.

„Doen of late van bestuurders, agente of werknemers.

28A. (1) Wanneer iets deur 'n bestuurder, agent of werknemer van 'n eienaar van 'n vervoermiddel of van enigiemand anders (watter eienaar of ander persoon hieronder die werkgever genoem word) gedoen of gelaat is wat so 'n werkgever aan 'n misdryf ingevolge hierdie Wet skuldig sou maak indien dit deur hom gedoen of gelaat word, word dit vermoed deur daardie werkgever self gedoen of gelaat te gewees het en kan dié werkgever ten opsigte daarvan skuldig bevind en gevonniss word, tensy daar bewys word dat—

(a) dié doen of late van die bestuurder, agent of werknemer nie deur dié werkgever veroorloof of oogluikend toegelaat is nie; en

(b) dié werkgever alle redelike stappe gedoen het om so 'n doen of late te voorkom; en

(c) 'n doen of late, hetsy wettig hetsy onwettig, van die ten laste gelegde aard, onder geen voorwaarde of omstandigheid binne die bevoegdheidsbestek of die diensverband van dié bestuurder, agent of werknemer geval het nie, en die feit dat dié werkgever 'n doen of late van die betrokke aard verbied het, strek op sigself nog nie tot voldoende bewys dat hy alle redelike stappe gedoen het om die ten laste gelegde doen of late te voorkom nie.

(2) Wanneer 'n bestuurder, agent of werknemer van so 'n werkgever iets gedoen of gelaat het wat, indien dit deur dié werkgever gedoen of gelaat word, dié werkgever skuldig sou maak aan 'n misdryf ingevolge hierdie Wet, kan dié bestuurder, agent of werknemer ten opsigte daarvan skuldig bevind en gevonniss word asof hy daardie werkgever was.

(3) So 'n bestuurder, agent of werknemer kan benewens die betrokke werkgever aldus skuldig bevind en gevonniss word.

(4) By die toepassing van hierdie artikel beteken bestuurder, agent of werknemer, met betrekking tot die eienaar van 'n vervoermiddel, ook iemand wat in verband met daardie vervoermiddel onder die beheer van daardie eienaar diens doen.”.

Act No. 51, 1969 ANIMAL DISEASES AND PARASITES AMENDMENT ACT, 1969.

**Amendment of
section 30 of
Act 13 of 1956.**

14. Section 30 of the principal Act is hereby amended by the deletion, in the Afrikaans text of paragraph (f), of the word "nie" where it occurs for the fifth and the sixth time.

**Short title and
commencement.**

15. This Act shall be called the Animal Diseases and Parasites Amendment Act, 1969, and shall come into operation on a date to be fixed by the State President by proclamation in the *Gazette*.

WYSIGINGSWET OP DIERESIEKTES EN -PARASIEDE, 1969. Wet No. 51, 1969

14. Artikel 30 van die Hoofwet word hierby gewysig deur Wysiging van in paragraaf (f) die woord „nie”, waar dit die vyfde en die artikel 30 van sesde keer voorkom, te skrap. Wet 13 van 1956.

15. Hierdie Wet heet die Wysigingswet op Dieresiektes en Kort titel en -parasiede, 1969, en tree in werking op 'n datum wat die Staats-inwerkingtreding. president by proklamasie in die *Staatskoerant* bepaal.

